

Federal social service efforts altogether, to the loss of people in need everywhere.

Constitutional protections are included. The motion to recommit prohibits funds from being used for worship, instruction, or proselytization in keeping with constitutional requirements.

This motion to recommit does not permit religious organizations to refuse to assist individuals on the basis of religion, a religious belief, or refusal to participate in a religious practice. The nondiscrimination language of the current Head Start statute prevents discrimination in the provision of service on the basis of race, creed, color, national origin, sex, political affiliation, or beliefs.

Mr. McKEON. Mr. Speaker, I yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, this motion should be called the "religious job discrimination act."

As a person of faith who believes strongly in the good work of faith-based groups, I rise to passionately oppose this ill-advised motion, a motion also opposed by the Baptist Joint Committee, the American Jewish Committee, the Episcopal Church, and the NAACP.

Our principle is simple but deeply profound. No American, not one, should ever have to pass another American's private religious test to qualify for a tax-funded Federal job. Not one American. Mr. Speaker, I shouldn't have to pass Mr. McKEON's test if I am applying for a Head Start job program, and he should not have to pass my religious test.

The fact is that no group in America, which would be possible under this motion, should be able to accept a \$1 million Head Start tax-funded grant and then literally, with your tax dollars in mind, put up a sign that says no Jews nor Catholics need apply here for a federally funded job. To do so is morally wrong. To do so is constitutionally wrong. No American, no American, not one, should ever have to choose between being true to his or her private religious faith and having a federally funded, tax-funded job.

This motion will harm the Head Start program. It will harm the work of faith-based groups. Vote "yes" for Head Start and "no" for this motion to recommit.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, I have been the pastor of the St. James United Methodist Church for 33 years. The bishop gives me the authority to bring pastors onto our staff, and I dis-

criminate. I have five pastors. All of them are Methodists, and they are paid with Methodist dollars. Each one of them. They are paid out of the stewardship of the church, and I have the right to do that. But I don't have the right to accept Federal dollars and discriminate.

Minorities have come to Washington over the years because this was the seat of power and it was believed that if you could get close to the seat of power, freedom would be more available. The same thing holds true with dollars. People go to work for the Federal Government, and if they see dollars going to a Head Start program, they believe automatically that there will be no discrimination. And we should not, we should not, turn it around now.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, a few weeks ago, Don Imus provoked a national discussion about race, but that was just talk. If we pass this motion, we will take action and turn the clock back before 1965.

This amendment doesn't allow faith-based programs to get funded. The Shuler amendment that we passed reminds us that faith-based organizations can and do sponsor Head Start programs.

The fact is that any program that can be funded under this amendment could be funded anyway if they would agree not to discriminate in employment. It has nothing to do with symbols. It is absurd to suggest that this has anything to do with symbols. Whatever problem there is with symbols is a constitutional problem that cannot be solved with a motion to recommit.

This is all about discrimination. And if you can discriminate based on religion, it has racial implications. So since the 1960s, for 40 years, when you talk about civil liberties, you are talking about the victims of discrimination. We decided 40 years ago that it was so reprehensible to discriminate in employment that we made it illegal, even with your own private money. And today, as we talk about discrimination, we ought to think about the victims, not the right of the person to discriminate against the victim.

The present law allows the church to use its own church money, as the gentleman from Missouri said, to hire whom they want. But with Federal money, just with the Federal money, you have not been able to discriminate. So for 40 years, all children in Head Start programs have learned that their parents are eligible to be hired by the Head Start program regardless of the race or religion of the program. They have known that for over 40 years. This amendment will determine what the next generation of Head Start students will learn.

We need to defeat this amendment.

Mr. GEORGE MILLER of California. Mr. Speaker, I urge my colleagues to

vote against this motion to recommit and not adopt a policy of employment discrimination based upon religion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

#### RECORDED VOTE

Mr. McKEON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minutes votes on passing H.R. 1429, if ordered, and suspending the rules and adopting House Resolution 243.

The vote was taken by electronic device, and there were—ayes 195, noes 222, not voting 16, as follows:

[Roll No. 284]

#### AYES—195

Aderholt	Forbes	McKeon
Akin	Fortenberry	Mica
Alexander	Fossella	Miller (FL)
Bachmann	Fox	Miller (MI)
Bachus	Franks (AZ)	Miller, Gary
Baker	Frelinghuysen	Moran (KS)
Barrett (SC)	Gallegly	Murphy, Tim
Bartlett (MD)	Garrett (NJ)	Musgrave
Barton (TX)	Gerlach	Myrick
Biggart	Gilchrest	Neugebauer
Bilbray	Gillmor	Nunes
Bilirakis	Gingrey	Pearce
Bishop (UT)	Gohmert	Pence
Blackburn	Goode	Peterson (PA)
Blunt	Goodlatte	Petri
Boehner	Granger	Pickering
Bonner	Hall (TX)	Pitts
Bono	Hastert	Platts
Boozman	Hastings (WA)	Poe
Boustany	Hayes	Porter
Brady (TX)	Heller	Price (GA)
Brown (SC)	Hensarling	Pryce (OH)
Brown-Waite,	Herger	Putnam
Ginny	Hobson	Radanovich
Buchanan	Hoekstra	Ramstad
Burgess	Hulshof	Regula
Burton (IN)	Inglis (SC)	Rehberg
Buyer	Issa	Reichert
Calvert	Jindal	Renzi
Camp (MI)	Johnson (IL)	Reynolds
Campbell (CA)	Johnson, Sam	Rogers (AL)
Cannon	Jones (NC)	Rogers (KY)
Cantor	Jordan	Rogers (MI)
Capito	Keller	Rohrabacher
Carter	King (IA)	Ros-Lehtinen
Castle	King (NY)	Roskam
Chabot	Kingston	Royce
Coble	Kline (MN)	Ryan (WI)
Cole (OK)	Knollenberg	Sali
Conaway	Kuhl (NY)	Saxton
Crenshaw	LaHood	Schmidt
Culberson	Lamborn	Sensenbrenner
Davis (KY)	Latham	Sessions
Davis, David	LaTourette	Shadegg
Davis, Lincoln	Lewis (CA)	Shimkus
Davis, Tom	Lewis (KY)	Shuler
Deal (GA)	Linder	Shuster
Dent	LoBiondo	Smith (NE)
Diaz-Balart, L.	Lucas	Smith (NJ)
Diaz-Balart, M.	Lungren, Daniel	Smith (TX)
Doolittle	E.	Souder
Drake	Mack	Stearns
Dreier	Manzullo	Sullivan
Duncan	Marchant	Terry
Ehlers	Marshall	Thornberry
Emerson	McCarthy (CA)	Tiahrt
English (PA)	McCaul (TX)	Tiberi
Everett	McCotter	Turner
Fallin	McCrery	Upton
Feeney	McHenry	Walberg
Ferguson	McHugh	Walden (OR)
Flake	McIntyre	Walsh (NY)